

ORDINANCE NO. 3

IN RELATION TO TOWN OFFICERS

ARTICLE I

GENERAL PROVISIONS

Be it ordained by the Board of Trustees of the Town of Mead:

Section I. The Board of Trustees shall appoint a Recorder, a Town Treasurer, Town Attorney and a Town Marshal and Street Commissioner; and any deputies they may deem necessary.

Section II. No appointment of any officer shall continue beyond one week after the qualification of the members of the succeeding Board of Trustees. Provided that immediately upon the qualification of any new Board of Trustees, after the annual election, the appointment of new municipal officers may be made in all cases in which such officers are to be appointed by the Board of Trustees.

Section III. Every person so appointed shall, before entering upon the duties of his office, make and subscribe an oath before a proper officer, that he will support the constitution of the United States and the constitution of the State of Colorado.

Section IV. Official bonds, except in the case of the town marshal, shall be made to the Town of Mead, and all bonds shall be conditioned, when not otherwise prescribed, for the faithful discharge of the duties of his office, according to the law of the State of Colorado and the ordinances of the Town of Mead, existing at the date of the bond or subsequently passed, and for the careful disposition of corporation funds in his hands according to the law. The bond of the Town Marshal shall be executed to the people of the State of Colorado.

Section V. Every bond shall be presented to the Board of Trustees for their approval of the security therein. If such approval be obtained, the Recorder shall file such bond in his office.

Section VI. Every officer shall, upon going out of his office, deliver to his successor, all books, papers, furniture and other things pertaining to his office.

Section VII. Every such officer shall, at all times when required, submit the books and papers of his office to the inspection of the mayor or any member of the Board of Trustees.

Section VIII. All moneys belonging to the town and coming into possession of any Town officer shall be paid into the Town Treasury forthwith.

Section IX. All monthly reports and accounts of Town Officers that are, or shall be required to be made to the Board of Trustees, shall be made to the Board of Trustees, shall be made at the first regular meeting of the Board held in each month unless otherwise provided, and such reports shall be in reference to the month last preceding.

ARTICLE II

THEIR SUSPENSION AND REMOVAL

Section I. Any Town Officer guilty of a wilful violation of any of his official obligations, of culpable, official negligence, dereliction of duty, or of conduct inconsistent with his official character, shall be subject to removal from office; provided, that any officer appointed to office by the Board of Trustees shall hold such office at the pleasure of the Board, and may be removed therefrom, without notice or assigning cause, in the discretion of the Board.

Section II. All charges preferred against any municipal officer of the Town of any cause or causes that shall be sufficient at law for the removal of any such officer shall be made in writing to the Board of Trustees, and shall clearly specify any such cause or causes of removal; provided, that this section shall not apply to officers appointed by the Board of Trustees.

### ARTICLE III

#### THEIR BONDS

Section I. The following named officers shall give bond to the Town of Mead in accordance with the law and the ordinances of said Town in the following sums respectively, to wit: The Town Treasurer, four thousand dollars; Recorder, one thousand dollars; Street Commissioner, five hundred dollars; Police Magistrate, one thousand dollars; The Town Marshal shall give bond to the People of the State of Colorado in the sum of two thousand dollars. Each of the aforementioned bonds shall be executed with two good and lawful sureties or by a representative surety of bonding company.

### ARTICLE IV

#### THEIR SALARIES

Section I. The several officers and employees of the Town of Mead, hereinafter designated, shall receive the following compensation, to wit:

Section II. The Town Treasurer shall receive the sum of eighty dollars per annum, payable quarterly.

Section III. The Recorder shall receive the sum of ten dollars per month, payable monthly.

Section IV. The Street Commissioner shall receive the sum of ten dollars per month, payable monthly.

Section V. The Town Attorney shall receive compensation for services rendered, in a sum not to exceed one hundred seventy-five dollars per annum, such salary to be payable quarterly, when the amount thereon is agreed upon.

Section VI. The Town Marshal shall receive fifty dollars per month payable monthly, in full for his services, and all fees collected by him shall be paid into the Treasury of the Town.

### ARTICLE V.

#### RECORDER

Section I. The Recorder shall cause the ordinances of the Town to be published as required by law, shall superintend the printing thereof and shall receive and file all papers proper to be filed among the record of the Town.

Section II. The recorder shall attend all meetings of the Board of Trustees, and keep an accurate record of all the proceedings thereof. He shall have the custody of the Town Seal, the Public Record, the original rolls of Ordinances and such other papers, records and documents as may be delivered into his custody. He shall affix the Town Seal to all ordinances, contracts, warrants, commissions, notices, public instruments, or official acts of the Mayor, that by law or ordinances are or shall be required to be attested by the Town Seal, and attest and countersign the same when so required, and any documents, copies, or papers, in his office, required for individual use or by any officer of the Town; and shall furnish to the Town Attorney any record or document in his office that he may call for to be used in any court.

Section III. The Recorder shall make a monthly report to the Board of Trustees, which report shall contain an itemized account of all moneys of the Town received by him, and the disposal thereof, he shall make reports to the Board at any time, when required by the Board, of the condition of all matters under his control, relating to the Town and perform any other duties required of him by resolution, order or Ordinance of said Board.

Section IV. The Recorder shall make an annual report of moneys received and paid out and shall cause the said annual report to be published in like manner as the annual accounts of the Treasurer. Said annual report shall be made on the first day of the official year, but in case such day fall on Sunday, then on the day thereafter.

Section V. The Recorder shall make out and deliver to each person elected or appointed to any office in the Town a certificate of such election or appointment and shall receive and file the oath of office and bond of any such person.

Section VI. The Recorder shall keep an account with each fund, to which appropriations are made, by the Board of Trustees in such manner as to show at all times the state of each fund.

Section VII. The Recorder shall debit each fund with the amount of each appropriation as well as all moneys, from time to time coming into it by payments, transfers or otherwise and he shall credit each fund with all warrants drawn on it or for its use.

#### ARTICLE VI TOWN MARSHAL

Section I. The Town Marshal shall attend all meetings of the Board of Trustees, when notified thereof, unless otherwise directed.

Section II. Said Marshal shall have authority to serve all orders, notices, and other papers, of the Board of Trustees, when the same shall be required by Ordinance or otherwise to be served.

Section III. The Town Marshal shall prosecute all offenders with promptness and effect, and use all lawful means to secure convictions. It shall be his duty to enforce and carry into effect all laws and Town Ordinances and to be diligent to detect and punish any breach thereof. He shall obey and execute all orders of the Mayor and Board of Trustees.

Section IV. Said Marshal shall diligently perform the duties of Police Officer, be subject to the orders of the Board of Trustees in respect to the number of hours he shall be employed each day in such service, and perform all other duties required of him by Ordinance or otherwise. At the regular meeting of the Board in each month the marshal shall make a complete report to the Board of his doings the preceding month.

Section V. The Marshal shall be the chief Police Officer in the Town and any deputies which may be appointed shall be subject to his direction and instruction, provided that the Mayor shall have supervision and control of the marshal and deputies, and instruct and direct them from time to time as to the performance of their duties, as in his judgment the welfare of the town may require.

Section VI. The Marshal and Deputies shall have the authority and it shall be their duty to quell riots, dispel mobs, or unlawful assemblies, make arrests with or without a warrant, and when necessary to make arrests they may enter into any house, building, room, car or enclosure, with force if necessary, calling upon and deputizing as many citizens to assist them as shall be necessary. They shall see that all persons liable to take out a city license take out a license as provided by the Ordinance, and one of the Police force shall be present to preserve order, at all assemblies held by virtue of any license or permit issued by the Town.

Section VII. It shall be the duty of the Marshal or Deputies when an arrest is made to forthwith take the person arrested before the Police Magistrate or proper Justice of the Peace and make complaint if complaint has not been made, and the accused shall have a speedy trial, provided that a reasonable time may be taken by the people or granted the accused to prepare for trial, provided that persons arrested in the night time or upon the first day of the week, may be detained in the Town Prison until the next day or Monday following and until they are tried and are discharged by law; provided further, that when a case is continued the accused may give a bond or undertaking with security to be approved by the magistrate or Justice before whom the trial is pending for his appearance at the time to which such case is continued.

Section VIII. Any Marshal or Deputy who shall fail or neglect to discharge his duty or connive at a violation of an ordinance or become inefficient, shall be subject to removal by resolution of the Council, and any vacancy occurring in any manner may be filled in the same manner as provided for the filling of said office in the first instance.

Section IX. The Town Marshal also shall perform the duties of Street Commissioner. He shall superintend personally all public work of the Town in the laying out, establishing, opening, altering, widening, extending, grading, paving or otherwise improving streets, alleys, sidewalks, arks and public grounds, and in the construction, improvement and repair of sewers, ditches, culverts, drains, bridges, viaducts and tunnels.

Section X. He shall keep correct accounts of the time of the persons employed and the animals used in any such work, and the cost of the hire thereof, of the materials furnished and the cost thereof, and perform such other duties as the Board of Trustees shall order in relation to the doing of any such public work. Upon the completion of any such work said Commissioner shall forthwith make to the said Board a report containing a clear statement in regard to such work and correct itemized accounts as aforesaid with the receipts aforesaid attached as such vouchers.

Section XI. He shall oversee and inspect any such public work, when done by contract, and forthwith report to said Board any violation of such contract.

Section XII. He shall perform all other duties required of him by the Ordinance or otherwise.

#### ARTICLE VII

##### TOWN TREASURER

Section I. It shall be the duty of the Town Treasurer to receive and receipt for all moneys belonging to the town. He shall pay from the treasury such sums of money as may be ordered paid by the Trustees and the warrants therefor shall be signed by the Mayor and countersigned by the Town Recorder, and shall state for what purpose the money is appropriated, the particular fund or appropriation to which the same is chargeable and the person to whom payable. He shall keep the account of each fund separate from others, charging each fund with all payments and crediting it with all moneys received on account thereof, and upon all warrants payable out of any particular fund there shall be legibly written the name of the fund out of which they are payable.

Section II. The Treasurer shall keep a true and accurate account of all moneys belonging to the Town of Mead, and shall report to the Council in writing once in each month all moneys received and paid out by him and all other business transacted by him during the month pertaining to his office.

Section III. All warrants shall be paid by the Treasurer according to priority in the order in which the same are presented for payment, and whenever any warrant may be presented for payment and the Treasurer shall not have fund in his hand for the payment of the same, it shall be his duty to indorse upon the back of such warrant the date of its presentation, and from such date said warrant shall bear interest at the legal rate per annum.

Section IV. The Town Treasurer shall fulfill such other requirements not herein expressly stated as are now or may thereafter be provided by law. In no case shall the offices of Treasurer and Clerk be held by the same person.

#### ARTICLE VIII

##### POLICE MAGISTRATE

Section I. The office of Police Magistrate is hereby established and created in the Town of Mead. The Police Magistrate shall have a jurisdiction within the territorial limits of the town of all cases arising under the Ordinances of such town, and whose powers, compensation, methods of procedure and fees shall be the same as Justice of the Peace (in like cases) of the County of Weld.

Section II. At the first regular meeting of said Board in each month said Magistrate shall make a report to said Board of all prosecutions, action and proceedings under the Town Ordinances before him and shall make a full report of any and all collections of fines and costs and the disposition thereof.

Section III. The Police Magistrate shall give proper bond in accordance with law and with the Ordinances of the Town of Mead, in the sum of one Thousand Dollars.

Passes, approved and adopted this 7th day of May, 1908.

M.S. Adams, Mayor

Attest:

J.E. Kitts, Town Clerk and Recorder